

**SUPREME COURT MINUTES
WEDNESDAY, FEBRUARY 27, 2013
SAN FRANCISCO, CALIFORNIA**

S207830 D059713 Fourth Appellate District, Div. 1 **PEOPLE v. GONZALEZ
(RAMON FLUGENCIO)**

Petition for review granted

Votes: Cantil-Sakauye, C. J., Kennard, Baxter, Werdegar, Chin, Corrigan, and Liu, JJ.

S208173 A134542 First Appellate District, Div. 5 **BEACON RESIDENTIAL
COMMUNITY
ASSOCIATION v. SKIDMORE
OWINGS & MERRILL LLP**

Petition for review granted

Votes: Cantil-Sakauye, C. J., Kennard, Baxter, Werdegar, Chin, Corrigan, and Liu, JJ.

S208181 C060569 Third Appellate District **CENTRAL COAST FOREST
ASSOCIATION v.
CALIFORNIA FISH & GAME
COMMISSION**

Petition for review granted; issues limited

The petition for review is granted.

The issue to be briefed and argued is limited to the following: Under the California Endangered Species Act, Fish and Game Code section 2050 et seq., may the Fish and Game Commission consider a petition to delist a species on the ground that the original listing was in error? If so, does the petition at issue here contain sufficient information to warrant the Commission's further consideration?

Votes: Cantil-Sakauye, C. J., Kennard, Baxter, Werdegar, Chin, Corrigan, and Liu, JJ.

S196568 C064627 Third Appellate District **SALAS (VICENTE) v. SIERRA
CHEMICAL COMPANY**

Supplemental briefing ordered

The court requests the parties to submit supplemental briefs on this question: Does federal immigration law preempt state law and thereby preclude an undocumented worker from obtaining, as a remedy for a violation of "state labor and employment laws" (Lab. Code, § 1171.5; Civ. Code, § 3339; Gov. Code, § 7285; Health & Saf. Code, § 24000), an award of compensatory remedies, including backpay? (See *Hoffman Plastic Compounds, Inc. v. NLRB* (2002) 535 U.S.

137.) Those briefs are to be served and filed on or before March 29, 2013. Upon the filing of those briefs, each party will then have until April 12, 2013, to serve and file a response to the brief submitted by the opposing party.

S198395 E051663 Fourth Appellate District, Div. 2 **PEOPLE v. G3 HOLISTIC, INC.**

Order filed: case held pending decision in another case

The request for judicial notice, filed February 11, 2013, is granted. The motion to set this matter for oral argument, filed February 11, 2013, is denied. Further action in this case is deferred pending disposition of *City of Riverside v. Inland Empire Patients Health and Wellness Center, Inc., et al.*, S198638.

S191948 **JOHN DOE v. HARRIS
(KAMALA D.)**

Motion for leave to intervene denied

The motions for leave to intervene or consolidate, filed on January 23, 2013, and January 25, 2013, are denied.

S195560 **GONZALEZ (EDWIN
NAYAM) ON H.C.**

Order to show cause issued, returnable in Superior Court

The Secretary of the Department of Corrections and Rehabilitation is ordered to show cause before the Los Angeles County Superior Court, when the matter is placed on calendar, why petitioner is not entitled to relief based on his allegation that the prosecutor failed to disclose evidence of the victim's post-1995 acts of violence, particularly the conduct that led to the 1997 parole revocation (*Brady v. Maryland* (1963) 373 U.S. 83), or in the alternative, that trial counsel was ineffective in failing to investigate and present this evidence. The return is to be filed on or before March 29, 2013.

Votes: Cantil-Sakauye, C. J., Kennard, Baxter, Werdegare, Chin, Corrigan, and Liu, JJ.

S207737 F064450 Fifth Appellate District **IN RE D.M.**

Petition for review granted; transferred to Court of Appeal, Fifth Appellate District

The petition for review is granted. The matter is transferred to the Court of Appeal, Fifth Appellate District, with directions to vacate its decision and reconsider the cause in light of *People v. Rodriguez* (2012) 55 Cal.4th 1125. (Cal. Rules of Court, rule 8.528(d).)

Votes: Cantil-Sakauye, C. J., Kennard, Baxter, Werdegare, Chin, Corrigan, and Liu, JJ.

S208280 B245823 Second Appellate District, Div. 7 **G. (JESUS) ON H.C.**

Petition for review granted; transferred to Court of Appeal, Second Appellate District, Division Seven

The petition for review is granted and the matter is transferred to the Court of Appeal, Second Appellate District, Division Seven. That court is ordered to vacate its January 9, 2013, order summarily denying habeas relief and is directed to issue an order to show cause returnable before that court. The Los Angeles County Probation Department is to be ordered to show cause, when the matter is placed on calendar, why petitioner's prolonged detention in the Los Angeles County Central Juvenile Hall without the provision of services designed to help him attain competency is not in violation of the Los Angeles County Superior Court Juvenile Division's "Amended Competency to Stand Trial Protocol," and does not otherwise deny petitioner due process of law. (See *Jackson v. Indiana* (1972) 406 U.S. 715, 738; *In re Davis* (1973) 8 Cal.3d 798, 801.) The return is to be filed on or before March 29, 2013.

Votes: Cantil-Sakauye, C. J., Kennard, Baxter, Werdegarr, Chin, Corrigan, and Liu, JJ.

S126214**PEOPLE v. CRUMMEL
(JAMES LEE)**

Appeal abated

The "Motion to Abate Automatic Appeal," filed by appellant's counsel on February 15, 2013, is granted. As indicated in a certified copy of a certificate of death, appellant James Lee Crummel died on May 27, 2012. All proceedings in *People v. James Lee Crummel*, case no. S126214, are permanently abated, and the Superior Court of California, County of Riverside is directed to enter an order to that effect in case no. RIF75043. (*People v. Dail* (1943) 22 Cal.2d 642, 659; *People v. Bandy* (1963) 216 Cal.App.2d 458, 466.)

S207228 E053152 Fourth Appellate District, Div. 2**PEOPLE v. MORENO
(SABRINA REYNE)**

Petition for review denied

S207272 B235869 Second Appellate District, Div. 8**PEOPLE v. LUCIEN (JARON
DEANDRE)**

Petition for review denied

S207503 E055340 Fourth Appellate District, Div. 2**McKINNON (DIONE LAMAR)
v. S.C. (PEOPLE)**

Petition for review denied

S207522	B229323 Second Appellate District, Div. 1	PEOPLE v. ROSS (DeVONTE)
Petition for review denied		
S207540	F062841/F062842 Fifth Appellate District	PEOPLE v. VILLAFAN (DAVID OSCAR)
Petition for review denied		
S207549	D059196 Fourth Appellate District, Div. 1	PEOPLE v. GRAY (WILLIAM)
Petition for review denied		
S207555	B242783 Second Appellate District, Div. 5	MOSLEY (EDGAR) v. PREMIER AMERICAN CREDIT UNION
Petition for review denied		
S207557	B244409 Second Appellate District, Div. 6	HERNANDEZ (GUILLERMO) v. WORKERS' COMPENSATION APPEALS BOARD & SPEISS CONSTRUCTION
Petition for review denied		
S207578	B236673 Second Appellate District, Div. 1	ANAGNOS (PHILIP) v. GGW DIRECT LLC
Petition for review denied		
S207588	C069761 Third Appellate District	PEOPLE v. SCOTT II (EDWARD LEROY)
Petition for review denied		
S207592	E053796 Fourth Appellate District, Div. 2	BAILEY (PATRICIA GAIL) v. GMAC MORTGAGE LLC
Petition for review denied		

S207595 G046039 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. ISLAS (MARIA
KARINA)**

S207608 A134619 First Appellate District, Div. 2

Petition for review denied

The requests for judicial notice are granted.

Werdegar, J., was recused and did not participate.

**SAFARI (HAMID) v. KAISER
FOUNDATION HEALTH
PLAN, INC.**

S207611 E053608 Fourth Appellate District, Div. 2

Petition for review denied

Kennard, J., is of the opinion the petition should be granted.

IN RE P.A.

S207644 E054437 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. MARTINEZ
(OSCAR ORTIZ)**

S207646 A132724 First Appellate District, Div. 5

Petition for review denied

**PEOPLE v. YOCHUM
(ALLEN RAY WALTER)**

S207649 A136536 First Appellate District, Div. 1

Petition for review denied

**VORAVONGSA (BRIAN) ON
H.C.**

S207662 E053457 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. BROCK
(TIMOTHY DWAYNE)**

S207680 B237185 Second Appellate District, Div. 2

Petition for review denied

**PEOPLE v. BENEDICT (JETT
P.)**

S207683 E052856 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. CARREON
(ALEX)**

S207709 B235415 Second Appellate District, Div. 5

Petition for review denied

**PEOPLE v. HAWKINS
(JOSEPH)**

S207715 E054927 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. VENEGAS
(MONIQUE DESERIE)**

S207733 C067516 Third Appellate District

Petition for review denied

**PEOPLE v. SASS (ERIC
FRANKLIN)**

S207757 G044732 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. GALLO
(ANDREW THOMAS)**

S207759 E054202 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. NEVAREZ
(DAVID)**

S207788 B235747 Second Appellate District, Div. 4

Petition for review denied

**BETSON (DOREEN) v. RITE
AID CORPORATION**

S207811 E057708 Fourth Appellate District, Div. 2

Petition for review denied

**NORWOOD (CORNELL) ON
H.C.**

S207815 D059472 Fourth Appellate District, Div. 1

Petition for review denied

**McMAHON (MARGARET E.),
CONSERVATORSHIP OF**

S207858	C069926 Third Appellate District	PEOPLE v. WARREN (NOELLE MARIE)
Petition for review denied		
S207883	B234979 Second Appellate District, Div. 2	PEOPLE v. GRIFFIN (DONALD LEE)
Petition for review denied		
S207885	A131815 First Appellate District, Div. 4	PEOPLE v. PARRINO (GIANINA MARIA)
Petition for review denied		
S207888	C069975 Third Appellate District	PEOPLE v. ESPINOZA (NATHAN ALEXANDER)
Petition for review denied		
S207895	B237021 Second Appellate District, Div. 1	PEOPLE v. CAMPBELL (RICHARD)
Petition for review denied		
S207921	A134219 First Appellate District, Div. 2	S. (A.), ADOPTION OF
Petition for review denied		
S207923	C070379 Third Appellate District	PEOPLE v. CHAVEZ (JAVIER)
Petition for review denied		
S207935	B236683 Second Appellate District, Div. 4	PEOPLE v. MILLWEE (SCOTT BRADLEY)
Petition for review denied		
S207943	A130285 First Appellate District, Div. 3	PEOPLE v. TIMMS (JOVAUGHN)
Petition for review denied		

S207944 C067899 Third Appellate District

Petition for review denied

**PEOPLE v. KIMBALL
(RONALD MARK)**

S207951 H037032 Sixth Appellate District

Petition for review denied
Chin, J., was recused and did not participate.

**SILVA, JR., (STANLEY G.) v.
BANK OF AMERICA, N.A.**

S207954 F065948 Fifth Appellate District

Petition for review denied

**MATTHEWS (IVAN LEE) ON
H.C.**

S208051 B236989 Second Appellate District, Div. 1

Petition for review denied

**PEOPLE v. MARTINEZ
(GUMERCINDO)**

S208068 E057733 Fourth Appellate District, Div. 2

Petition for review denied

**HAMILTON (PAUL C.) ON
H.C.**

S208069 A137230 First Appellate District, Div. 5

Petition for review denied
The request for judicial notice is denied.

**FUSCHAK (DAVID M.) ON
H.C.**

S208113 D060706 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. GARDNER
(RONDEL DELBERT)**

S208116 E053487 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. HERNANDEZ
(ARGENIS CHRISTOPHER)**

S208131 C070397 Third Appellate District

Petition for review denied

**PEOPLE v. WINDOM, SR.,
(CLINTON RAY)**

S208132 E052930 Fourth Appellate District, Div. 2

Petition for review denied

**MORSCHAUSER (WILLIAM)
v. CONTINENTAL CAPITAL
LLC**

S208139 E054809 Fourth Appellate District, Div. 2

Petition for review denied

**YOKAITIS (MARILYN
HUSTEDT), ESTATE OF**

S208142 B234565 Second Appellate District, Div. 8

Petition for review denied

**PEOPLE v. VASQUEZ
(FRANCISCO JAVIER)**

S208148 E057719 Fourth Appellate District, Div. 2

Petition for review denied

LISTER (JOSEPH) ON H.C.

S208149 D061595 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. RIVERA
(MATTHEW ALBERT)**

S208157 E054193 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. GUTIERREZ
(SEBASTIAN ESTEBAN)**

S208158 D060312 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. CUSIO (JULIAN
JOSHUA)**

S208159 A137078 First Appellate District, Div. 4

Petition for review denied

**TABO (EDGAR) v.
WORKERS'
COMPENSATION APPEALS
BOARD & CITY & COUNTY
OF SAN FRANCISCO - SFPD**

S208168 B245393 Second Appellate District, Div. 1
Petition for review denied

ALDANA (MELVIN) ON H.C.

S208176 B220198 Second Appellate District, Div. 8

Petitions for review denied

**SUMMIT MEDIA LLC v.
CITY OF LOS ANGELES
(CBS OUTDOOR, INC.)**

S208178 E053382 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. ACOSTA
(JOHNNY)**

S208191 H036706 Sixth Appellate District

Petition for review denied

**PEOPLE v.
BARAJASGARCIA (JOSE
TRINIDAD)**

S208194 A131930 First Appellate District, Div. 3

Petition for review denied

**PEOPLE v. RAISNER
(BRIANNE)**

S208197 G045803 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. BALBAS
(NICHOLAS PAUL)**

S208199 B232720 Second Appellate District, Div. 1

Petition for review denied

**PEOPLE v. ROMERO
(HERIBERTO)**

S208201	D060819 Fourth Appellate District, Div. 1	PEOPLE v. GATES (EDWARD ALLEN)
Petition for review denied		
S208203	E054509 Fourth Appellate District, Div. 2	PEOPLE v. BLEECKER (MATTHEW PAUL)
Petition for review denied		
S208205	B235297 Second Appellate District, Div. 7	PEOPLE v. MIZRAHI (ISHMAEL)
Petition for review denied		
S208206	F063563 Fifth Appellate District	PEOPLE v. ALDERETE (JULIAN)
Petition for review denied		
S208212	D060603 Fourth Appellate District, Div. 1	PEOPLE v. ISSA (AMIER ROCKY)
Petition for review denied		
S208214	F064012 Fifth Appellate District	PEOPLE v. METZGER, JR., (THOMAS ALBERT)
The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides <i>People v. McCullough</i> , S192513.		
S208215	B239876 Second Appellate District, Div. 6	PEOPLE v. KILLION (CHASE)
Petition for review denied		
S208216	E053912 Fourth Appellate District, Div. 2	PEOPLE v. SEVERIN (JOHN KENNETH)
Petition for review denied		

S208219 D063046 Fourth Appellate District, Div. 1

Petition for review denied

**JACQUETT (STEPHEN S.) v.
CALIFORNIA DEPARTMENT
OF CORRECTIONS &
REHABILITATION**

S208229 C068672 Third Appellate District

Petition for review denied

**PEOPLE v. THOMAS
(DWAYNE ORLANDO)**

S208233 D061313 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. ZAMORA
(ALFONSO)**

S208237 B232004 Second Appellate District, Div. 4

Petition for review denied

**PEOPLE v. MERCADO
(MARVIN)**

S208244 D058701 Fourth Appellate District, Div. 1
Petition for review denied

PEOPLE v. REED (MYCHAL)

S208246 D063155 Fourth Appellate District, Div. 1

Petition for review denied

**TRAPERO (MARTIN) v.
WORKERS'
COMPENSATION APPEALS
BOARD & NORTH
AMERICAN PNEUMATICS**

S208248 B232930 Second Appellate District, Div. 8

Petition for review denied

**PEOPLE v. WILLIAMS
(JARED M.)**

S208250 B235416 Second Appellate District, Div. 1

Petition for review denied

**PEOPLE v. SALCEDO
(RICHARD RICKY)**

S200576**LOWMAN (CLEVELAND R.)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S205152**INIGUEZ, SR., (JORGE) ON
H.C.**

Petition for writ of habeas corpus denied

S206996**CARTER (RICKY) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S207111**SCOTT (BYRON LEROY) ON
H.C.**

The petition for writ of habeas corpus is denied without prejudice to the filing of an original petition in the superior court for any relief to which petitioner might be entitled following our resolution of *People v. Gutierrez*, S206365, and *People v. Moffett*, S206771.

S207120**SHEARD (SHA'REEF) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Lindley* (1947) 29 Cal.2d 709, 723; *In re Miller* (1941) 17 Cal.2d 734, 735.)

S207121**WASHINGTON (RAYMOND
RAY) ON H.C.**

Petition for writ of habeas corpus denied

S207123**MARTINEZ (JUAN) ON H.C.**

Petition for writ of habeas corpus denied

S207200**NGUYEN (PHI HUNG) ON
H.C.**

Petition for writ of habeas corpus denied

S207213**LUCHIE (WALTER KEITH)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 797-798.)

S207215**SHAHEED (KARRIEM B.) ON
H.C.**

Petition for writ of habeas corpus denied

S207216**ESCOTO (NOE) ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Lindley* (1947) 29 Cal.2d 709.)

S207226**MARTIN (RONNIE S.) ON
H.C.**

Petition for writ of habeas corpus denied

S207236**HAYNES (TROY REGGIE)
ON H.C.**

Petition for writ of habeas corpus denied

S207238**BISHOP (UNIQUE K.) ON
H.C.**

Petition for writ of habeas corpus denied

S207239**BRYANT, JR., (KEVIN
ANTHONY) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Lindley* (1947) 29 Cal.2d 709.)

S207373**MATHENEY (KELLY JON)
ON H.C.**

Petition for writ of habeas corpus denied

S207384**HAMMLER (ALBERT) ON
H.C.**

The request that we take judicial notice of the appellate record is granted. The petition for writ of habeas corpus is denied.

S207385**RILEY (SHANNON) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921, 925-926.)

S207387**MITCHELL (MICHAEL) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Miller* (1941) 17 Cal.2d 734, 735.)

S207391**CUEVAS (ROSARIO) ON H.C.**

Petition for writ of habeas corpus denied

S207393**LARSON (RICHARD TERRY)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Miller* (1941) 17 Cal.2d 734, 735.)

S207427**JONES (JAMES STANLEY)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S207428**CARO (RUDY) ON H.C.**

Petition for writ of habeas corpus denied

S207508**EDWARDS (HOWARD
JEROME) ON H.C.**

Petition for writ of habeas corpus denied

S207509**JACOBS (DEAN ROBERT)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S207524**FROST, SR., (SHAWN KEVIN)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769; *In re Dixon* (1953) 41 Cal.2d 756, 759.)

S207527**FERNANDEZ (JOAQUIN
LESO) ON H.C.**

Petition for writ of habeas corpus denied

S207538**CHAPPELL (REX) ON H.C.**

Petition for writ of habeas corpus denied

S207541**COCHRAN (BILLY) ON H.C.**

Petition for writ of habeas corpus denied

S207544**GUERRERO (JORGE) ON
H.C.**

Petition for writ of habeas corpus denied

S207547**WILLIAMS III (HENRY C.)
ON H.C.**

Petition for writ of habeas corpus denied

S207560**ELLIS, JR., (RUDOLPH) ON
H.C.**

Petition for writ of habeas corpus denied

S207564**JOHNIGAN (ASHLEY) ON
H.C.**

Petition for writ of habeas corpus denied

S207566**FLEMMING (RICHARD D.)
ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)**S207570****POLK (MAURICE R.) ON
H.C.**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)**S207577****MELCHOR (ROBIN) ON H.C.**

Petition for writ of habeas corpus denied

S207582**FOSTER (REACE TESHAWN)
ON H.C.**The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dixon* (1953) 41 Cal.2d 756, 759.)**S207586****SHAFFER (DAVID LLOYD)
ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)**S207593****CASTILLO (MARIANO) ON
H.C.**

Petition for writ of habeas corpus denied

S207594**BOWDEN (EARL) ON H.C.**

Petition for writ of habeas corpus denied

S207605**MORGAN (VERNON L.) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S207617**FLORES (ISAAC) ON H.C.**

Petition for writ of habeas corpus denied

S207623**TORRES (GENARO C.) ON
H.C.**

Petition for writ of habeas corpus denied

S207639**HARBOTTLE (JERRY) ON
H.C.**

Petition for writ of habeas corpus denied

S207652**JOHNSON (KEVIN A.) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769; *In re Miller* (1941) 17 Cal.2d 734, 735.)

S207653**McKISSICK (RANDAL) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S207661**YOUNG (GERALD JEROME)
ON H.C.**

Petition for writ of habeas corpus denied

S207663**SANDS (PHILIP LEO) ON
H.C.**

Petition for writ of habeas corpus denied

S207666

Petition for writ of habeas corpus denied

HOLMES (LARRY) ON H.C.**S207667**

Petition for writ of habeas corpus denied

**BARRON (TERRELL) ON
H.C.****S207669**

Petition for writ of habeas corpus denied

McCASKILL (NEAL) ON H.C.**S207671**

Petition for writ of habeas corpus denied

**GONZALEZ (JUAN ISMAEL)
ON H.C.****S207674**

Petition for writ of habeas corpus denied

**WEATHERSBY (EDDIE) ON
H.C.****S207681**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769; *In re Waltreus* (1965) 62 Cal.2d 218, 225; *In re Miller* (1941) 17 Cal.2d 734, 735.).

**CARRAWAY (MEEKO SHA)
ON H.C.****S207692**

Petition for writ of habeas corpus denied

**HUGHES (KENNETH
WILLIAM) ON H.C.****S207741**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Swain* (1949) 34 Cal.2d 300, 304.)

**JONES (GREGORY B.) ON
H.C.**

S207772**SALDANA (MIGUEL) ON
H.C.**

Petition for writ of habeas corpus denied

S207998**JONES (GREGORY B.) ON
H.C.**The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769.)**S208004****MARTIN (RONNIE S.) ON
H.C.**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734, 735.)**S208073****JONES (GREGORY B.) ON
H.C.**The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**S207416**

B225793 Second Appellate District, Div. 7

**MORGAN (EARL) v. PACIFIC
SPECIALTY INSURANCE
COMPANY**

Publication request denied (case closed)

S207545 F063445/F063451/F063452

Fifth Appellate District

**PEOPLE v. UNITED STATES
FIRE INSURANCE
COMPANY**

Depublication requests denied (case closed)

S207625

C066996 Third Appellate District

**SIERRA CLUB v. COUNTY
OF TEHAMA**

Publication request denied (case closed)

S207656

C067581 Third Appellate District

**McMILLAN III (CLIFTON H.)
v. COUNTY OF SISKIYOU**

Publication request denied (case closed)

S113421**PEOPLE v. HARDY
(WARREN JUSTIN)**

Extension of time granted

Good cause appearing, and based upon counsel Susan K. Shaler's representation that she anticipates filing the appellant's opening brief by June 2013, counsel's request for an extension of time in which to file that brief is granted to April 29, 2013. After that date, only one further extension totaling about 60 additional days is contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S127621**PEOPLE v. ERSKINE (SCOTT
THOMAS)**

Extension of time granted

Good cause appearing, and based upon counsel Kimberly J. Grove's representation that she anticipates filing the appellant's opening brief by June 5, 2013, counsel's request for an extension of time in which to file that brief is granted to April 26, 2013. After that date, only one further extension totaling about 40 additional days will be granted.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S137307**PEOPLE v. MORALES
(JOHNNY)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to May 6, 2013.

S146528**PEOPLE v. SNYDER
(JANEEN MARIE) &
THORNTON (MICHAEL
FORREST)**

Extension of time granted

On application of appellant Michael Thornton and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to April 30, 2013.

S152556**PEOPLE v. OROZCO (JOSE LUIS)**

Extension of time granted

Good cause appearing, and based upon counsel Tara K. Hoveland's representation that she anticipates filing the appellant's opening brief by June 26, 2013, counsel's request for an extension of time in which to file that brief is granted to April 26, 2013. After that date, only one further extension totaling about 60 additional days is contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S168204**PEOPLE v. MOSLEY (BARRY WENDELL)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to April 23, 2013.

S191869**CARRASCO (ROBERTO) ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Robert R. Bryan's representation that he anticipates filing the reply to the informal response to the petition for writ of habeas corpus by April 30, 2013, counsel's request for an extension of time in which to file that document is granted to April 30, 2013. After that date, no further extension is contemplated.

S200366**BROWN (STEVEN ALLEN) ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Emry J. Allen's representation that he anticipates filing the reply to the informal response to the petition for writ of habeas corpus by April 24, 2013, counsel's request for an extension of time in which to file that document is granted to April 24, 2013. After that date, no further extension will be granted.

S207727**BUTLER (PERRY C.) ON H.C.**

Extension of time granted

On application of the Attorney General and good cause appearing, it is ordered that the time to serve and file the informal response is hereby extended to March 13, 2013.

S208784**HINOJOSA (JOSE CRUZ) v.
S.C. (PEOPLE)**

Transferred to Court of Appeal, Fourth Appellate District, Division One

The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division One.

S208786**MASTERSON (DANIEL) v.
DIAZ (RALPH M.)/(PEOPLE)**

Transferred to Court of Appeal, Fifth Appellate District

The above-entitled matter is transferred to the Court of Appeal, Fifth Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

S208221**ACCUSATION OF MEDINA**

Petition denied

(accusation)

S205648**LEVINE ON DISCIPLINE**

Petition for writ of review denied; disbarred

The petition for writ of review is denied.

The court orders that HOWARD ROY LEVINE, State Bar Number 105973, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys.

HOWARD ROY LEVINE must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S207915**TAYLOR ON DISCIPLINE**

Petition for writ of review denied; recommended discipline imposed

The request for judicial notice is denied.

The petition for writ of review is denied.

The court orders that SWAZI ELKANZI TAYLOR, State Bar Number 237093, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. SWAZI ELKANZI TAYLOR is suspended from the practice of law for a minimum of the first six months of probation, and he will remain suspended until the following requirements are satisfied:

- i. He makes restitution to the following payees (or reimburses the Client Security Fund, to the extent of any payment from the fund to the payees, in accordance with Business and Professions Code section 6140.5) and furnishes proof to the State Bar's Office of Probation, as follows:
 - (1) Rosane Castro in the amount of \$2,500 plus 10 percent interest per year from November 23, 2009;
 - (2) Alan Sukin in the amount of \$3,600 plus 10 percent interest per year from September 30, 2010;
 - (3) James Croxton in the amount of \$1,300 plus 10 percent interest per year from April 22, 2010;
 - (4) Wesley Harris and Elisa Torres in the amount of \$3,750 plus 10 percent interest per year from May 24, 2010;
 - (5) Harshadrai Kapadia in the amount of \$1,400 plus 10 percent interest per year from April 4, 2010;
 - (6) Rick Bonneville in the amount of \$1,800 plus 10 percent interest per year from April 20, 2010;
 - ii. If he remains suspended for two years or more as a result of not satisfying the preceding condition, he must also provide proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. For Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)
2. SWAZI ELKANZI TAYLOR must also comply with the provision of the State Bar Act, the Rules of Professional Conduct, and all other conditions of probation recommended by the Review Department of the State Bar Court in its opinion filed on November 9, 2012 (as modified on January 9, 2013).
 3. At the expiration of the period of probation, if SWAZI ELKANZI TAYLOR has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

SWAZI ELKANZI TAYLOR must also take and pass the Multistate Professional Responsibility Examination during the period of his actual suspension in this matter and provide satisfactory proof of such passage to the State Bar's Office of Probation within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

SWAZI ELKANZI TAYLOR must also comply with California Rules of Court, rule 9.20, and perform the acts specified in parts (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S204906

HEALY ON DISCIPLINE

Request for rehearing of State Bar discipline denied – KEVIN MICHAEL HEALY

Cantil-Sakauye, C. J., was recused and did not participate.

